

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY TIFT,

Defendant.

CASE NO. CR20-0168-JCC

ORDER

This matter comes before the Court on Defendant’s motion to stay his self-surrender date (Dkt. No. 354). Defendant previously sought three extensions of his self-surrender date, two of which the Court granted. (*See* Dkt. Nos. 344, 348.) The most recent order set Defendant’s self-surrender date for April 1, 2024. (*See* Dkt. No. 348 at 1.) On March 26, 2024, less than a week before his self-surrender date, Defendant again tried to move the ball—this time pursuant to Federal Rule of Appellate Procedure 9-1.2 and 18 U.S.C. § 3143(b). (*See* Dkt. No. 349.) The Court denied Defendant’s motion on March 27, 2024. (*See* Dkt. No. 350.) That same day, Defendant filed a motion for bail pending appeal with the Ninth Circuit. (*See* 9th Cir. Case No. 23-4261, Dkt. No. 13.) On March 28, 2024, the Ninth Circuit denied the motion and found Defendant’s request for a stay was moot. (*See* 9th Cir. Case No. 23-4261, Dkt. No. 15.) On April 1, 2024—the day Defendant was ordered to surrender to the Bureau of Prisons (“BOP”)—Defendant moved for reconsideration of the Ninth Circuit’s denial of his motion for bail pending

1 appeal. (*See* 9th Cir. Case No. 23-4261, Dkt. No. 16.) Within a few hours, the Ninth Circuit  
2 again denied Defendant's motion, along with his request to stay adjudication of his motion  
3 pending the appointment of appellate counsel. (*See* Dkt. No. 352.)

4 On April 2, 2024, the Court learned of Defendant's failure to surrender himself to BOP.  
5 Later that day—in an act of blatant disregard for multiple court rulings on the issue—Defendant  
6 filed yet another motion to stay his self-surrender date with this Court pursuant to 18 U.S.C.  
7 § 3143(b) and Federal Rule of Criminal Procedure 38. (*See* Dkt. No. 354.) He argues such relief  
8 is necessary to allow appellate counsel time to file a motion to stay Defendant's incarceration  
9 pending his appeal. (*Id.* at 1.)

10 Once again, Defendant's motion is DENIED. As this Court and the Ninth Circuit have  
11 previously explained, Defendant is not entitled to relief under § 3143(b). (*See* Dkt. Nos. 350,  
12 352.) Moreover, the Ninth Circuit has explicitly denied Defendant's request for a stay pending  
13 his appointment of counsel. ((*See* Dkt. No. 352.) Although Defendant is entitled to the  
14 appointment of appellate counsel, this is not a basis for him to evade reporting to BOP to serve  
15 his sentence.

16 Accordingly, the Court DENIES Defendant's motion to stay his self-surrender date  
17 pending his appeal (Dkt. No. 354).

18 DATED this 5th day of April 2024.

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22 John C. Coughenour  
23 UNITED STATES DISTRICT JUDGE  
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